

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	14-06013-01-CR-SJ-DGK
DAVID JAMES CAIN,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

On April 20, 2015, I ordered Defendant to undergo a competency evaluation (Doc. No. 18). Defendant was examined by Tennille Warren-Phillips, Psy.D., who prepared a report dated June 22, 2015.

A competency hearing was held on August 4, 2015. The government was represented by Assistant United States Attorney Paul Becker. Defendant in person with appointed attorney Travis Poindexter. The parties stipulated to the contents and findings of Dr. Warren-Phillips' report (Tr. at 2). No additional evidence was presented. The parties waived the fourteen-day objection period (Tr. at 3).

Based upon the uncontroverted evidence, I find that Defendant is competent to proceed. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding Defendant competent.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
August 11, 2015